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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 15**

**The Railways Infrastructure (Access, Management  
and Licensing of Railway Undertakings)  
(Amendment) Regulations (Northern Ireland) 2019**

**Scope**

4.—(1) In regulation 3 (Scope)—

(a) for paragraph (6) substitute—

(a) “(6) The provisions of—

(i) regulation 5;

(ii) regulation 10;

(iii) regulation 13; and

(iv) Parts 4 to 6

do not apply to the networks listed in paragraph (7);

(b) the provisions of—

(i) regulation 11;

(ii) regulation 12(1), (2) and (3); and

(iii) regulation 15(1)

also do not apply to the networks listed in paragraph (7) and do not apply to the lines described in paragraph (7A); and

(c) the provisions of—

(i) regulation 8A;

(ii) regulation 8B;

(iii) regulation 8C;

(iv) regulation 9A;

(v) regulation 14(6), (6A) and (7); and

(vi) regulation 19(3) and (3A),

also do not apply to the networks listed in paragraph (7) and the lines described in paragraph (7A) and do not apply to the regional, low traffic networks described in paragraph (7B).”;

(b) after paragraph (7) insert—

“(7A) The lines referred to in paragraph (6)(b) and (c) are local, low traffic lines of a length not exceeding 100km that are used for freight traffic between a mainline and points of origin and destination of shipments along those lines, provided that those lines are managed by entities other than the main infrastructure manager and that either—

(a) those lines are used by a single freight operator, or

(b) the essential functions in relation to those lines are performed by a body which is not controlled by any railway undertaking.

(7B) The regional, low traffic networks referred to in paragraph (6)(d) are regional, low traffic networks managed by an entity other than the main infrastructure manager and used for the operation of regional passenger services provided by a single railway undertaking where—

- (a) capacity for passenger services on that network has not been requested, and
- (b) the single railway undertaking is independent of any railway undertaking operating freight services.

(7C) The lines described in paragraph (7A) include those that are used also, to a limited extent, for passenger services and the regional, low traffic networks described in paragraph (7B) included those where the line is used also, to a limited extent, for freight services.

(7D) Where a railway undertaking is party to a public-private partnership concluded before 16th June 2015 and is responsible for providing passenger railway services on the infrastructure, the provisions of—

- (a) regulation 8A;
- (b) regulation 9A;
- (c) regulation 14(6), (6A) and (7); and
- (d) regulation 19(3) and (3A)

do not apply to the railway undertaking.”.